

LAP3 Rec'd PCT/PTO 05 MAY 2006 PCT

PATENT

Attorney Docket No.: PP19817.002



I hereby certify that this paper is being deposited with the U.S. Patent and Trademark Office as first class mail in an envelope addressed: MAIL STOP Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 2, 2006.

Gyne Riser

Date

05/02/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. National Phase of:

International Application No.: PCT/US2004/025914

International Filing Date: 12 August 2004

Applicant: Feng Xu

For: INACTIVATED HOST CELL DELIVERY OF POLYNUCLEOTIDES
ENCODING IMMUNOGENS

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on Form PTO/SB/08, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ **before** the mailing date of a first Office Action on the merits.

- ☐ **after** the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or**
- ☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☒ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ **after** the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), (see "Statement," and "Fees" below).
- ☒ Copies of the references listed on the attached Form PTO/SB/08, are enclosed.

EXCEPT THAT:

- ☐ In view of the voluminous nature of reference @@, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached Form PTO/SB/08 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.

- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Statement under 37 C.F.R. § 1.97(e)

- ☐ The undersigned attorney hereby states that the references contained in the Information Disclosure Statement were cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement. A copy of the communication (International Search Report) is enclosed.

Fees

- ☒ No Fee is owed by the applicant(s).
- ☐ The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.


Method of Payment of Fees

- ☐ Attached is a check in the amount of \$180.00. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 03-1664 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 03-1664.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,

Dated: May 2, 2006

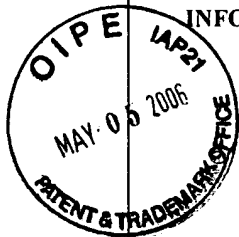
BY:



Helen Lee

Registration No. 39,270

CHIRON CORPORATION
Intellectual Property – R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-2192



THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT
PTO/SB/08 (MODIFIED)

SHEET 1 OF 1

ATTORNEY DOCKET NO.

PP019817.0003

APPLICATION NO. (International)

PCT/US2004/025914

FIRST NAMED INVENTOR

Feng Xu

EXAMINER

Unassigned

FILING DATE (International)

August 12, 2004

CONFIRMATION NO.

GROUP ART UNIT

Unassigned

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | REF. NO. | DOCUMENT NUMBER | ISSUE DATE/ PUBLICATION DATE MM-DD-YYYY | NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT |
|---------------------|-------------|--------------------|---|---|
| | A1 | | | |
| | A2 | | | |
| | A3 | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | REF. NO. | DOCUMENT NUMBER | PUBLICATION DATE MM-DD-YYYY | NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT | TRANSLATION YES NO | |
|---------------------|-------------|--------------------|-----------------------------------|---|-----------------------|--|
| | B1 | | | | | |
| | B2 | | | | | |
| | B3 | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| EXAMINE R INITIAL | REF. NO. | DESCRIPTION |
|----------------------|-------------|--|
| | C1 | JAFFE et al., "Considerations for the Clinical Development of Cytokine Gene-Transduced Tumor Cell Vaccines" <i>Methods: A Companion to Methods in Enzymology</i> (1997) 12:143-153 |
| | C2 | KOJIMA et al., "Granulocyte-Macrophage Colony-Stimulating Factor Gene-Transduced Tumor Cells Combined with Tumor-Derived gp96 Inhibit Tumor Growth in Mice", <i>Human Gene Therapy</i> (2003) 14:715-728 |
| | C3 | TJOA et al., "Progress in Active Specific Immunotherapy of Prostate Cancer", <i>Seminars in Surgical Oncology</i> (2000) 18:80-87 |
| | C4 | ZHAN et al., "Control of IL-12 and IFN-Gamma Production in Response to Live or Dead Bacteria by TNF and Other Factors", <i>J. Immunology</i> , (1988) 161:1447-1453 |
| | C5 | |
| | C6 | |
| | C7 | |
| | C8 | |
| | C9 | |
| | C10 | |

EXAMINER'S SIGNATURE

DATE CONSIDERED